UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

)	
PAMELA STELLA, individually and)	
on behalf of all others similarly situated,)	
•)	
Plaintiff,)	No. 07-CV-6509
)	
v.)	Hon. Elaine E. Bucklo
)	Magistrate Judge Arlander Keys
LVMH PERFUMES AND COSMETICS)	
USA, INC., a New York Corporation,)	
)	
Defendant.)	
)	

DEFENDANT LVMH'S UNOPPOSED MOTION TO EXTEND TIME TO ANSWER OR OTHERWISE PLEAD

Defendant LVMH Perfumes and Cosmetics USA, Inc. ("LVMH") respectfully moves this Court for an order extending by 30 days the time for LVMH to answer or otherwise plead to the Complaint in this action. In support of this motion, LVMH further states:

- 1. The Complaint in this action was filed on November 16, 2007 and served on LVMH's registered agent on or about November 27, 2007. Therefore, LVMH is due to answer or otherwise plead to the Complaint by December 17, 2007.
- 2. The Complaint seeks certification of a nationwide class of consumers who purchased LVMH lipstick products allegedly containing lead and asserts a variety of statutory and common law claims seeking significant monetary and injunctive relief.
- 3. To properly respond to the Complaint, counsel for LVMH needs additional time to investigate the allegations of the Complaint and prepare appropriate factual and legal responses thereto. Accordingly, LVMH requests a 30-day extension of time (or until January 16, 2008) to answer or otherwise plead to the Complaint.

Case 1:07-cv-06509 Document 12 Filed 12/14/2007 Page 2 of 3

4. Counsel for LVMH has conferred with Plaintiff's counsel about the requested

extension of time, and Plaintiff's counsel have stated they have no objection.

5. The requested extension is not sought for any improper purpose, and it will not

unduly delay this action.

6. LVMH's counsel are filing their Appearances contemporaneously with this

Motion.

WHEREFORE, Defendant LVMH respectfully requests that this Court grant this

unopposed motion and enter an order extending the time for LVMH to answer or otherwise plead

to the Complaint until January 16, 2008.

Date: December 14, 2007

Respectfully submitted,

LVMH PERFUMES AND COSMETICS

USA, INC.

By: s/ Robert E. Shapiro

One of Its Attorneys

Robert E. Shapiro (Bar No. 03125180) Rachael M. Trummel (Bar No. 6274278) BARACK FERRAZZANO KIRSCHBAUM

& NAGELBERG, LLP

200 West Madison Street, Suite 3900

Chicago, Illinois 60606

Ph: 312.984.3100 Fax: 312.984.3150

Email: rob.shapiro@bfkn.com Email: rachael.trummel@bfkn.com

CERTIFICATE OF SERVICE

I, Robert E. Shapiro, one of the attorneys for **LVMH PERFUMES AND COSMETICS USA, INC.**, do hereby certify that I have this day caused a true and correct copy of the foregoing instrument to be served upon the following according to ECF Rules in compliance with Fed. Rule Civ. P. 5(b)(2)(D):

Ben Barnow
Erich Paul Schork
Sharon Harris
Barnow & Associates, P.C.
One North LaSalle Street
Suite 4600
Chicago, IL 60602
(312) 621-2000
b.barnow@barnowlaw.com
e.schork@barnowlaw.com
s.harris@barnowlaw.com
Attorneys for Plaintiff

Aron David Robinson
Law Office of Aron D. Robinson
19 South LaSalle Street
Suite 1300
Chicago, IL 60603
(312) 857-9050
adroblaw@aol.com
Attorney for Plaintiff

BY U.S. MAIL, PROPER POSTAGE PREPAID

Lance A. Harke, P.A.
Sarah Clasby Engel, P.A.
Harke & Clasby LLP
155 South Miami Avenue
Suite 600
Miami, FL 33130
(305) 536-8220
Attorney for Plaintiff

BY U.S. MAIL, PROPER POSTAGE PREPAID

Kevin Rogers
Law Offices of Kevin Rogers
307 North Michigan Avenue
Suite 305
Chicago, IL 60601
(312) 332-1188
Attorney for Plaintiff

s/Robert E. Shapiro